IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

OP.No. 15596 of 2000(F)

PETITIONER:

A.K.MOHAMMED HUSSAIN, AGED 48,
S/O.LATE ABDUL KARIM, PLAVILA HOUSE,
THIRUVALLAM P.O.
THIRUVANANTHAPURAM.

BY ADV. SRI.K.B.PRADEEP

RESPONDENTS:
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1. THE THIRUVALLAM GRAMA PANCHAYATH,
THIRUVALLAM, THIRUVANANTHAPURAM
REPRESENTED BY ITS SECRETARY.

2. NOORJAHAN, SAJATH MANZIL,
THIRUVALLAM P.O,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.BALAGOVINDAN-R1
SRI.K.S.HARIHARAPUTHRAN-R2
SRI.P.M.JOSEPH

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

O.P.No. 15596 of 2000-F

Dated this the 13th day of September, 2007.

J U D G M E N T

H.L.Dattu, C.J.

The Thiruvallam Grama Panchayat now forms part of Thiruvananthapuram Corporation. The impugned notices in the original petition were issued by the Thiruvallam Grama Panchayat and the said panchayat is no more in existence. Therefore, the reliefs sought for by the petitioner in this original petition cannot be granted at this stage. Accordingly, the original petition requires to be disposed of, as having become unnecessary. However, liberty is reserved to the petitioner, if he so desires, to go before the Corporation and bring to the notice of the Corporation about the so-called unauthorised construction made by the second respondent. If such a representation is made by the petitioner, the Corporation authorities will consider the same in accordance with law, after due notice to the second respondent. All the contentions of both sides are left open.

2. In view of the order passed in the original petition, all pending interim applications are dismissed.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS